

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

KATHLEEN MILLER.

Plaintiff,

V.

VERIZON COMMUNICATIONS, INC.,

Defendant.

Civil Action No. 05-30117-KPN

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE
AS TO COUNT V OF THE PLAINTIFF'S COMPLAINT**

Now come the Parties in the above-entitled matter and, pursuant to Fed. R. Civ. P. Rule 41(a), hereby stipulate that Plaintiff's claims pursuant to the Rehabilitation Act of 1973, 29 U.S.C. § 701, et. seq. (Count V of the Complaint) only be dismissed without prejudice, and with each Party bearing her/its own costs and attorneys' fees as to these claims. The Plaintiff may attempt to reinstate this claim if discovery supports reinstating this claim.

Respectfully submitted,

The Plaintiff,
Kathleen Miller,
By Her Attorney,

Respectfully submitted,

The Defendants,
Verizon Communications, Inc.,
By its Attorney,

/s/ Michael O. Shea
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____/s/ Windy L. Rosebush____
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CERTIFICATE OF SERVICE

I, Windy L. Rosebush, Esq., hereby certify that on July 21, 2005, I served the above document upon Michael O. Shea, Esq., 451 Main Street, Wilbraham, MA 01095 by filing the same electronically.

___/s/ Windy L. Rosebush_____